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EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/990,450	Applicant(s) HUNTER ET AL.	
	Examiner DANH C. LE	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/7/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17,22-38,44-49 and 57-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17,22-38,44-49 and 57-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1- 17, 22- 46, 48, 49, 57-59, 61-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold (US 6,842,628) in view of Tate (US 6,509,833).

As to claim 1, Arnold teaches a method for disseminating emergency notification content from an emergency originating source (figure 1), the method comprising:

delivering the emergency notification content (106) in real time from the emergency originating source to at least one transmitting party (103);

selecting a subset of users (120) from among a set of users for dissemination of the emergency notification content based on the subject matter of the emergency notification content; and delivering the emergency notification content from the at least one transmitting party to a device corresponding to each user from the selected subset of users (101).

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 2, Arnold teaches a method of claim 1, further comprising providing filtering instructions in the device for filtering out at least a portion of the emergency notification content for a particular user, wherein the displaying comprises displaying the remainder of the emergency notification content other than the portion filtered out to the particular user (col.4, line 62-col.5, line 16).

As to claim 3, Arnold and Tate teaches a method of claim 1, further comprising transmitting a location of the device from the device directly or indirectly to the at least one transmitting party, wherein the delivering of the emergency notification content from the at least one transmitting party comprises directing the emergency notification content to only those users having a location within a predetermined proximity to an emergency for which the emergency notification content is relevant including GPS determined geographic location.

As to claim 4, Arnold inherently teaches the method of claim 1 (col.7, lines 9-21), further comprising:

- storing the emergency notification content at the device;
- permitting the user of the device to request specific information from the emergency notification content;
- searching the stored emergency notification content for the requested specific information; and

displaying only the requested specific information to the user.

As to claim 5, Arnold teaches the method of claim 1, further comprising receiving location data from a 911 emergency system, the location data identifying a geographic location of an emergency, wherein the delivering of the emergency notification content from the at least one transmitting party comprises directing the emergency notification content regarding the emergency to users in the geographic location (col.5, lines 26-45).

As to claim 6, Arnold teaches the method of claim 5, wherein the emergency notification content is delivered to only those users by cellular or plain old telephony who do not provide a acknowledgement of receiving the emergency notification content by other means (col.1, line 63-col.2, line 2).

As to claim 7, Arnold teaches the method of claim 5, wherein the emergency notification content is delivered to only those users by cellular or plain old telephony who are within a predetermined proximity to an emergency for which the emergency notification content is relevant ((col.5, lines 26-45).

As to claim 8, Arnold teaches a method for disseminating emergency notification content from an emergency originating source (figure 2), the method comprising:

delivering the emergency notification content in real time from the emergency originating source to a group of users; and

transmitting a verification from at least one individual user from the group of users (figure 2, 206).

Arnold fails to teach verification indicates that the emergency notification content has been received. Tate teaches the verification indicates that the emergency

notification content has been received (figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to inform the non-answering subscribers in a different way.

As to claim 9, Arnold teaches the method of claim 8, wherein the verification indicates that the emergency notification content has been received (col.2, line 66-col.3, line 17).

As to claim 10, Arnold teaches the method of claim 8, wherein the verification indicates that the emergency notification content is collaborated (col.2, line 66-col.3, line 17).

As to claim 11, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 12, Arnold teaches a method for disseminating emergency notification content from an emergency originating source (figure 2), the method comprising:

- delivering the emergency notification content in real time from the emergency originating source to a group of users; and
- at least one individual user from the group of users storing the emergency notification content that has been received.

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of

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the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 13, Arnold teaches the method of claim 12, further comprising displaying the emergency notification content from storage (col.7, lines 9-21).

As to claim 14, Arnold teaches a method for disseminating emergency notification content from an emergency originating source (figure 1), the method comprising:

- delivering the emergency notification content in real time from the emergency originating source (106) to at least one transmitting party (103);

- providing an emergency knowledge database of a set of users (120);

- selecting a subset of users from among the set of users for dissemination of the emergency notification content based on at least one corresponding entry in the database; and

- directing the emergency notification content from the at least one transmitting party to a device corresponding to each user from the selected subset of users (101).

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of

the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 15, the limitation of the claim is the same limitation of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

As to claim 16, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 17, the limitation of the claim is the same limitation of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

As to claim 22, Arnold teaches a system for disseminating emergency notification content from an emergency originating source (figure 1), the system comprising:

first transmission apparatus for delivering the emergency notification content in real time from the emergency originating source (106) to at least one transmitting party (103);

an apparatus for selecting a subset of users from among a set of users for dissemination of the emergency notification content based on the subject matter of the emergency notification content (120); and

second transmission apparatus for delivering the emergency notification content from the at least one transmitting party (103) to a device corresponding to each user from the selected subset of users (101);

the device having a receiving apparatus for receiving the emergency notification content from the at least one transmitting party and a display operatively connected thereto for displaying the received emergency notification content (col.7, lines 9-21).

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 23, Arnold teaches system of claim 22, wherein the device is located in a fixed location (col.1. line 63-col.2, line 2).

As to claim 24, Arnold teaches the system of claim 22, wherein the device is located in a mobile location (col.1, line 63-col.2, line 2).

As to claim 25, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 26, Arnold teaches a system for disseminating emergency notification content from an emergency originating source (figure 2), the system comprising:

a first transmission apparatus for delivering the emergency notification content in real time from the emergency originating source to a group of users; and

a device corresponding to at least one individual user from the group of users for receiving the emergency notification content and transmitting a verification.

Arnold fails to teach verification indicates that the emergency notification content has been received. Tate teaches the verification indicates that the emergency notification content has been received (figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to inform the non-answering subscribers in a different way.

As to claim 27, Arnold teaches the method of claim 26, wherein the verification indicates that the emergency notification content has been received (col.2, line 66-col.3, line 17).

As to claim 28, the limitation of the claim is the same limitation of claim 10; therefore, the claim is interpreted and rejected as set forth as claim 10.

As to claim 29, the limitation of the claim is the same limitation of claim 23; therefore, the claim is interpreted and rejected as set forth as claim 23.

As to claim 30, the limitation of the claim is the same limitation of claim 24; therefore, the claim is interpreted and rejected as set forth as claim 24.

As to claim 31, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 32, Arnold teaches a system for disseminating emergency notification content from an emergency originating source (figure 2 and col.6, line 53-col.7, line 51), the system comprising:

a transmission apparatus for delivering the emergency notification content in real time from the emergency originating source to a group of users; and

a device corresponding to at least one individual user from the group of users for receiving the emergency notification content, the device having a memory for storing the emergency notification content that has been received.

As to claim 33, Arnold teaches a system of claim 32, wherein the device further comprises a means for displaying the emergency notification content from the memory (col.6, line 53-col.7, line 33).

As to claim 34, the limitation of the claim is the same limitation of claim 23; therefore, the claim is interpreted and rejected as set forth as claim 23.

As to claim 35, the limitation of the claim is the same limitation of claim 24; therefore, the claim is interpreted and rejected as set forth as claim 24.

As to claim 36, Arnold teaches a system for disseminating emergency notification content from an emergency originating source (figure 1), the system comprising:

first transmission apparatus for delivering the emergency notification content in real time from the emergency originating source (106) to at least one transmitting party (103);

an emergency knowledge database of a set of users operatively connected to the at least one transmitting party (120);

an apparatus for selecting a subset of users from among the set of users for dissemination of the emergency notification content based on at least one corresponding entry in the database; and

second transmission apparatus for directing the emergency notification content from the at least one transmitting party (103) to a device corresponding to each user (101) from the selected subset of users;

the device having a receiving apparatus for receiving the emergency notification content from the at least one transmitting party and a display operatively connected thereto for displaying the received emergency notification content (col.7, lines 9-21).

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 37, the limitation of the claim is the same limitation of claim 23; therefore, the claim is interpreted and rejected as set forth as claim 23.

As to claim 38, the limitation of the claim is the same limitation of claim 24; therefore, the claim is interpreted and rejected as set forth as claim 24.

As to claim 44, Arnold teaches a device for displaying emergency notification content to a corresponding user (figure 2), the device comprising:

a receiver for receiving the emergency notification content in real time from a remote location; and

a display for displaying the emergency notification content to the corresponding user; wherein the device is other than a radio or television (col.6, line 53-col.7, line 21).

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 45, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 46, Arnold teaches a device of claim 44, wherein the device is selected from a group consisting of a set top box, a computer, a video cassette player, a DVD player, a CD player, a WebTV device, a video game player, a video game controller, a pager, a cellular phone, and a personal digital assistant (figure 1, 101, PDA)

As to claim 48, Arnold teaches a device of claim 44, wherein the display comprises a monitor for displaying a visual reproduction of the emergency notification content (col.6, line 53-col.7, line 21).

As to claim 49, Arnold teaches device of claim 44, wherein the display comprises a speaker for displaying an audio reproduction of the emergency notification content (cellular phone, col.1, line 63-col.2, line 2).

As to claim 57, Arnold teaches a device for displaying emergency notification content to a corresponding user (figure 2 and col.6, line 53-col.7, line 21), the device comprising:

a receiver for receiving the emergency notification content in real time from the remote location; and

a transmission apparatus for transmitting a verification.

Arnold fails to teach verification indicates that the emergency notification content has been received. Tate teaches the verification indicates that the emergency notification content has been received (figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to inform the non-answering subscribers in a different way.

As to claim 58, Arnold teaches the device of claim 57, wherein the verification indicates that the emergency notification content has been received (col.2, line 66-col.3, line 17).

As to claim 59, the limitation of the claim is the same limitation of claim 28; therefore, the claim is interpreted and rejected as set forth as claim 28.

As to claim 60, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 61, Arnold teaches a device for displacing emergency notification content to a corresponding user (figure 2 and col. 6, line 53-col.7, line 51), the device comprising:

- a receiver adapted for receiving the emergency notification content from the remote location; and

- a memory for storing the emergency notification content in real time that has been received.

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claim 63, Arnold inherently teaches a database useful in disseminating emergency notification content, the database (figure 1, 120) comprising:

- a first entry listing a plurality of users; and

- at least one second entry listing emergency information useful in directing the emergency notification content in real time to a portion of the users, the at least one second entry corresponding to each of the plurality of users in the first entry.

Arnold fails to teach selecting automatically a subset of users based on the subject matter of the emergency notification content. Tate teaches selecting automatically a subset of users based on the subject matter of the emergency notification content (figures 2 , 3 and their descriptions). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Tate into the system of Arnold in order to distribute the emergency warning utilizing an existing wirelined, wireless or computer-based telecommunication system.

As to claims 64-68, the Arnold and Tate inherently teaches the database of claim 63, Arnold teaches the at least one second entry comprises a listing of an address for each of the plurality of users in the first entry, a third entry listing a geographical area corresponding to each of the users in the first entry, a third entry of a known skill corresponding to at least one of the plurality of users in the first entry, a third entry of a telephone number corresponding to each of the users in the first entry and a third entry of a wireless telephone number corresponding to at least one of the plurality of users in the first entry (Tate figures 2 and 3).

As to claim 69, Arnold teaches a database of claim 63, wherein the wireless telephone number corresponds to a device selected from a group consisting of a pager, a cellular phone, and a personal digital assistant (PDA).

2. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold and Tate in view of Chong (US 2003/0036412).

As to claim 47, Arnold and Tate teaches a device of claim 44 which displays emergency notification content, Arnold and Tate further fails to teach comprising means for automatically turning on the device to display the content when the device is determined to be off. Chong teaches means for automatically turning on the device to display the content when the device is determined to be off (paragraph 0030). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Chong into the system of Arnold and Tate in order to display the emergency notification content to the user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "danh", with a long horizontal stroke extending to the right.

May 12, 2006

DANH CONG LE

PRIMARY EXAMINER